

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

MARIE-ANN GREENBERG, MAG-1284  
MARIE-ANN GREENBERG, STANDING TRUSTEE  
30 Two Bridges Road, Suite 330  
Fairfield, NJ 07004  
(973) 227-2840  
Chapter 13 Standing Trustee

In Re:

ANTONIO CAPOTE

**FILED**  
JEANNE A. NAUGHTON, CLERK

JUN 14 2017

U.S. BANKRUPTCY COURT  
NEWARK, N.J.  
BY \_\_\_\_\_ DEPUTY

Case No.: 16-24776

Hearing Date:

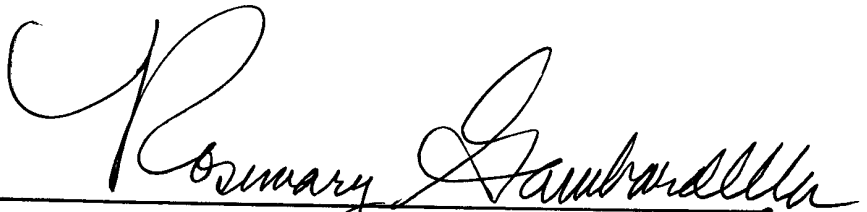
6-14-17

Judge: ROSEMARY GAMBARDILLA

**CONSENT ORDER RESOLVING STANDING TRUSTEE'S OBJECTION TO EXEMPTIONS**

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

6-14-17

  
\_\_\_\_\_  
USBTJ

Debtor: ANTONIO CAPOTE

Case No. 16-24776

Caption of Order: **CONSENT ORDER RESOLVING STANDING TRUSTEE'S OBJECTION TO EXEMPTIONS**

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THIS MATTER having been consented to by all parties entitled to notice; and good and sufficient cause, it is hereby Stipulated and Ordered:

The objection of the Standing Trustee to the debtor's exemptions is hereby resolved as follows:

Whereas, Debtor previously filed a Ch. 7 case which was assigned case number 15-31717.

Whereas, Debtor failed to disclose a personal injury action in the prior case.

Whereas, Debtor filed the instant case and also failed to disclose the same personal injury action initially.

Whereas, Debtor then amended his schedules and the Standing Trustee objected to same.

Whereas, Debtor, Standing Trustee and the U.S. Trustee agree to the following:

- Debtor must move to approve the settlement of the personal injury action within 14 days of the entry of this order;
- Once the Bankruptcy Court has approved the settlement and disbursement of the personal injury action, special counsel shall tender \$20,000 to the Standing Trustee of the net settlement of the personal injury action;
- The Standing Trustee shall set up a claim in the amount of \$20,000 for the Ch. 7 trustee, Donald Biase. Regardless of whether the instant case is dismissed, the Standing Trustee may tender payment of \$20,000 to the Ch. 7 trustee, less applicable trustee commissions.
- The Office of the United States Trustee shall undertake to re-open the Ch. 7 case, appoint the Ch. 7 trustee and allow for the administration of the asset in normal course.

The undersigned hereby consent to the form, content and entry of the within Consent Order.

/s/Marie-Ann Greenberg  
Marie-Ann Greenberg, Esq.  
Chapter 13 Standing Trustee

/s/Robert B. Davis  
Robert B. Davis, Esq.  
Attorney for Debtor

/s/Antonio Capote  
Antonio Capote  
Debtor

/s/Michael Artis  
Office of the United States Trustee  
Michael Artis, Esq.  
Trial attorney

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Antonio Capote  
Debtor

Case No. 16-24776-RG  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Jun 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 16, 2017.

db +Antonio Capote, 309 49TH STREET APT 3, Union City, NJ 07087-5132

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 16, 2017

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 14, 2017 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Harley-Davidson Credit Corp dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Karen B. Olson on behalf of Creditor Emigrant Residential LLC kbo@kkmlp.com, nmm@kkmlp.com  
Karen B. Olson on behalf of Creditor Wilmington Savings Fund Society, FSB, doing business as Christiana Trust, not in its individual capacity, but solely as trustee for BCAT 2015-13ATT kbo@kkmlp.com, nmm@kkmlp.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Robert B Davis on behalf of Debtor Antonio Capote Rob@davislawcenterllc.com, rbdesq@gmail.com  
TOTAL: 5